

REMARKS/ARGUMENTS

As discussed above, Applicants have canceled claims 1-15 and 30, without prejudice. Applicants have amended claim 16. Support for the amendments to claim 16 can be found on page 7, line 24 through page 8, line 13. Thus, no issues of new matter are believed to be raised by the above amendments to the claims.

This is intended to be a full and complete response to the Office Action dated June 26, 2003. In view of the amendments presented above and the following discussion, the Applicants believe that all claims are in allowable form.

REJECTION UNDER 35 U. S. C. § 102

I

Claims 1-16, 21 and 26 were rejected under 35 U. S. C. § 102 (b) as being anticipated by WO 9930729 (“the ‘729 patent”) or by KR 9208851 (“the 851 patent”). See Page 2 of the Office Action. As discussed above, Applicants have canceled claims 1-15. Applicants submit that pending claims 16, 21 and 26 are not anticipated by either of these references. Applicants have amended independent claim 16, from which claims 21 and 26 depend, to recite “wherein the external aggressions result from the group consisting of chemical contact, physical contact, and temperature.” Both the ‘729 patent and the ‘851 patent are silent with respect to the claimed method for treatment of aggressions from chemical contact, physical contact, and temperature by topically applying a soy product. Accordingly, Applicants respectfully request the above rejection be withdrawn.

II

Claims 1-16, 21 and 26 are rejected under 35 U. S. C. § 102 (b) as being anticipated by Costanzo et al. U.S. patent 6,323,219 (the “219 patent”). See pages 2-3 of the Office Action. As discussed above, Applicants have canceled claims 1-15. Applicants submit that pending claims 16, 21 and 26 are not anticipated by either of these references. As discussed above, Applicants have amended independent claim 16, from which claims 21 and 26 depend, to recite “wherein the external aggressions result from the group consisting of chemical contact,

physical contact, and temperature .” The ‘219 patent is silent with respect to the claimed method for treatment of aggressions from chemical contact, physical contact, and temperature by topically applying a soy product. Accordingly, Applicants respectfully request the above rejection be withdrawn.

REJECTIONS UNDER 35 U. S. C. § 103

I

Claims 1-32 were rejected under 35 U. S. C. § 103 (a) as being unpatentable over ‘the ‘729 patent, the ‘851 patent and the ‘219 patent in view of JP 63227515 (the ‘515 patent). See pages 3-4 of the Office Action. The Examiner applied the ‘729 patent, the ‘851 patent, and the ‘219 patent as discussed above for claims 16, 21 and 26. In addition, the Examiner further cites the ‘515 patent for a teaching of radiation to sterilize cosmetics.

As discussed above, Applicants have canceled claims 1-15 and 30. Applicants have amended independent claim 16, from which the remaining claims depend, to recite “wherein the external aggressions result from the group consisting of chemical contact, physical contact, and temperature .” As discussed above, the ‘729, the ‘851 patent, and the ‘219 patent are silent with respect to the claimed method for treatment of aggressions from chemical contact, physical contact, and temperature by topically applying a soy product. Furthermore, the ‘515 patent does not teach or suggest Applicants invention as recited in claims 16-29 and 31-32 in which aggressions from chemical contact, mechanical contact, and temperature exposure are treated by topically applying a soy product. Rather, the ‘515 patent only teaches using gamma radiation to sterilize cosmetics.

Thus the Applicants submit that claims 16-29 and 31-32 are patentable over this combination of references. Accordingly, the Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

Thus, Applicants submit that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and swift passage to issue are earnestly

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solicited. If the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone William McGowan at 732-524-2197 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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